

FairPoint Communications, Inc.
State of New Hampshire
Docket No. DT 07-011

Respondent: Peter G. Nixon
Title: President

REQUEST: Office of Consumer Advocate - Rebuttal

DATED: September 19, 2007

ITEM: OCA R-142 Refer to page 39, lines 4 through 6, of the Rebuttal Testimony of Peter G. Nixon.

- a. Please provide any data, studies, reports, or analyses that support the assertion that “the marketplace creates sufficient incentives for FairPoint to provide service that meets or exceeds the customers’ expectations” in each of the communities identified in Exhibit SMB-29a-C to Ms. Baldwin’s testimony.
- b. Please provide any data, studies, reports, or analyses that support the assertion that “the marketplace creates sufficient incentives for FairPoint to provide service that meets or exceeds the customers’ expectations” where the customers in question are “no frills” residential consumers (that is, consumers seeking basic local exchange service with few or no discretionary features, minimal toll calling and no broadband or video demand).

REPLY:

OBJECTION: FairPoint objects to Data Request R-142 on the grounds that it is vague, overbroad and unduly burdensome. Subject to and without waiving these objections, FairPoint will provide information responsive to Data Request R-142. [Objection served September 25, 2007.]

- a. FairPoint has not conducted any studies or analysis however based upon the historic and projected access line losses it is apparent that competition from wireless and cable providers are impacting the business which creates the appropriate incentives.

FairPoint has not conducted any studies or analysis.